

**WORKMAN | NYDEGGER**  
A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW  
1000 EAGLE GATE TOWER  
60 EAST SOUTH TEMPLE  
SALT LAKE CITY, UTAH 84111  
TELEPHONE (801) 533-9800  
FAX (801) 328-1707

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From: RICK D. NYDEGGER/JENS C. JENKINS

Comments: Please see attached Petition to Revoke for Unintentional Abandonment  
Under 37 CFR 1.137(b) and accompanying documents.

Docket No.: 14531.71.4.2

Serial No.: 09/992,190

\*\*\*\*\*  
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PTO/SB/84 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)  
14531.71.4.2

First named inventor: John J. Daniels

Application No.: 09/992,190

Art Unit: 2613

Filed: November 16, 2001

Examiner: Y. Young Lee

Title: PAUSING TELEVISION PROGRAMMING IN RESPONSE TO SELECTION OF HYPERTEXT LINK

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

## 1. Petition fee

☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,330 (37 CFR 1.17(m))

## 2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of RCE & Amendment "B" (identify type of reply):

☐ has been filed previously on \_\_\_\_\_

☒ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_

☐ has been paid previously on \_\_\_\_\_

☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/64 (11-03)

Approved for use 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## 3. Terminal disclaimer with disclaimer fee

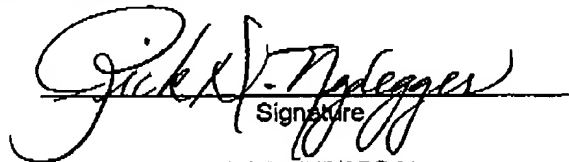
- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. **STATEMENT:** The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

AUGUST 2, 2004

Date

Telephone  
Number:(801) 533-9800

Signature

RICK D. NYDEGGER

Typed or printed name

WORKMAN NYDEGGER

Address

Customer No. 022913

Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay☒ Other: PTO-2038 Credit Card Payment Form

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

AUGUST 2, 2004

Date



Signature

DACIA M. HOLT

Type or printed name of person signing certificate

[Page 2 of 2]

FILED VIA FACSIMILE

PATENT APPLICATION  
Docket No. 14531.71.4.2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG - 2 2004

In re application of

John J. Daniels

Serial No.:

09/992,190

Art Unit  
2613

OFFICIAL

Filed:

November 16, 2001

Confirmation No.:

022913

For:

PAUSING TELEVISION PROGRAMMING IN  
RESPONSE TO SELECTION OF HYPERTEXT  
LINK

Examiner:

Y. Young Lee

**STATEMENT AND PETITION UNDER C.F.R. § 1.137(b) TO REVIVE AN  
UNINTENTIONALLY ABANDONED APPLICATION**Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Pursuant to 37 C.F.R. § 1.137(b), applicant hereby petitions to revive United States Patent Application Serial No. 09/992,190, which became unintentionally abandoned in response to the Office Action mailed from the United States Patent and Trademark Office on July 24, 2003. As the Office Action granted a three month period in which to reply, the abandonment date of the application is October 24, 2003. Applicant submits that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional.

Following an interview held with the Examiner on October 6, 2003, a response was filed on October 20, 2003 including (copies attached): (1) a Certificate of Facsimile Transmission; (2) Amendment "B"; (3) an RCE Transmittal Letter; (4) a Submission of Formal Drawing for one sheet of the formal drawing; (5) a Transmittal of Formal Drawing; (6) and Form PTO-2038 authorizing payment of the RCE filing fee in the amount of \$770.00, were filed by fax in response to Final Office Action (paper no. 11) in the above-identified application. However, Applicants are not able to locate the fax confirmation sheet or a PTO Auto-Reply facsimile confirming the PTO's receipt of said documents.

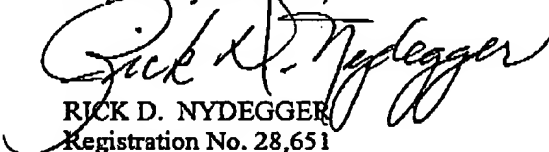
To enable granting of this petition, the following items are enclosed:

1. Amendment "B", Request for Continued Examination, Submission of Formal Drawing and One (1) Sheet of Formal Drawing for filing in response to the Final Office Action (paper no. 11) mailed July 24, 2003.
2. Petition for Three-Month Extension of Time under 37 CFR 1.136(a).
2. Form PTO-2038 authorizing Credit Card Payment in the amount of \$3,050.00, for the RCE filing fee (\$770.00), the Three-Month Extension fee (\$950.00), and the fee for this Petition (\$1,330.00).

In view of the foregoing, applicant respectfully requests that this Petition to Revive an Unintentionally Abandoned Application be granted.

Dated this 2<sup>nd</sup> day of August, 2004.

Respectfully submitted,



RICK D. NYDEGGER  
Registration No. 28,651

WORKMAN NYDEGGER  
Attorneys for Applicant  
Telephone: (801) 533-9800  
Customer No. 022913

RDN:dmh

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